

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

RICKY EARL STEWART,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:09-cv-00036-JEO
)	
ETOWAH COUNTY)	
DETENTION CENTER,)	
)	
Defendant.)	


MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on May 18, 2009, recommending that all of the plaintiff's claims be dismissed pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2) with the exception of the plaintiff's Eighth Amendment conditions of confinement claims against Defendants Entrekin and Hassell. The magistrate judge further recommended that the plaintiff's Eighth Amendment conditions of confinement claims remain for further proceedings. No objections have been filed by either party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be, and it hereby is, ADOPTED, and the recommendation is ACCEPTED. It is therefore ORDERED, ADJUDGED, and

DECREED that all of the plaintiff's claims in this action except his Eighth Amendment conditions of confinement claims against Defendants Entrekin and Hassell are DISMISSED pursuant to 28 U.S.C. § 1915A(b).

DONE this 31st day of July, 2009.



United States District Judge